

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:  
XIOMARA SIFUENTES BONILLA

DEBTOR(S)

CASE NO. 16-00030 (ESL)

CHAPTER 13

**MOTION TO OBJECT CONFIRMATION OF PAYMENT PLAN**

COMES NOW secured creditor, Banco Popular de Puerto Rico, through the undersigned counsel and respectfully alleges and prays as follows:

1. Banco Popular de Puerto Rico is a secured creditor having a duly executed and registered mortgage loan.
2. Creditor has filed a secured proof of claim for \$39,889.46, which includes \$10,241.72 in pre petition arrears.
3. Debtor's Payment Plan, dated January 7, 2016, proposes for the trustee to pay secured pre-petition arrears to Banco Popular de Puerto Rico (account no. 6228) in the amount of \$7,246.79 and for the debtor to maintain regular payments directly to creditor.
4. The proposed Plan should not be confirmed because debtor does not owe \$7,246.79 in pre-petition arrears, debtor owes \$10,241.72.
5. Consequently, the proposed plan is unfeasible and should not be confirmed. It inadequately provides for Banco Popular's secured claim, failing to comply with 11 U.S.C. §1322 and §1325.

WHEREFORE, Banco Popular de Puerto Rico respectfully requests that this Honorable Court deny the confirmation of the Plan dated January 7, 2016 and issue such orders as may be just and proper.

RESPECTFULLY SUBMITTED,

In Guaynabo, Puerto Rico, this 26<sup>th</sup> day of January 2016.

NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served

by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: I hereby certify that on the same date above I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee Jose R. Carrion Morales (newecfmail@ch13-pr.com), and debtor's attorney Roberto Figueroa-Carrasquillo (cmecf@rfclawpr.com). I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: Debtor(s) Xiomara Sifuentes Bonilla, at PO Box 82, Juncos, PR 00777.

/s/ Juan C. Fortuño Fas  
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